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CHARLOTTE, N.C.

SEP 13 2005

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

Clerk, U.S. Dist. Court  
W. Dist. of N.C.

MICHAEL SMITH,

)

)

Plaintiff, ) Civil Action No. 3:04cv638-**C**

)

v.

)

WAFFLE HOUSE, INC.

)

)

and

)

HILLCREST FOODS, INC.

)

)

Defendants. )

**ORDER**

This matter came before the Court on the joint motion of the parties for a 60-day stay of proceedings in light of a potential resolution of this case and other cases involving similar claims against franchise-operated Waffle House restaurants. The parties believe that the stay will improve the opportunity for resolving the remaining details of a possible negotiated resolution and will conserve their clients' resources and promote judicial economy.

The Court finds good cause for the Motion and it is hereby GRANTED.

The parties are instructed to inform the Court as to the status of negotiations within 60 days of the date of the parties' motion.

So ordered this 12th day of October, 2005.

Carl Horn, III  
Judge, United States District Court